

## REMARKS

Claims 13-14 and 17 stand rejected under 35 U.S.C. 102(b) as being anticipated by Satou (U.S. Patent No. 5,930,607). In response, Applicants amended claims 13-14 to clarify that the plurality of metal layers are directly formed on the same layer, and respectfully traverse the rejection as it applies to the amended claims. With respect to claim 17, Applicants amended the claim to clarify that the under layer that is directly below the top layer is exposed, and respectfully traverse the rejection as it applies to the amended claim.

Sato discloses a pair of metal layers 900 and 930a,b which the Examiner equates with the metal layers of the present invention. (See Satou FIG. 26). Moreover, the Examiner asserts that the metal layers 900 and 930a,b are formed on one substrate 400. Accordingly, independent claims 13-14 are amended to clarify that the metal layers of the present invention are directly formed on the same layer. While Satou has the layer 900 directly formed on the substrate 400, the other metal layers 930a,b are not formed directly on the substrate 400. Satou fails to disclose or suggest an electrostatic protection element portion that is formed of a plurality of metal layers that are directly formed on the same layer, as now recited in amended claims 13-14. For this reason, withdrawal of the §102 rejection of claims 13-14 is respectfully requested.

With respect to claim 17, FIG. 23b of the present invention shows two opposing metal layers 200 electrically connected by an ITO layer 43. The ITO layer 43 is a conductor film deposited in the contact holes 98, which open a passivation film 54. That is, as now recited in the amended claim, the present invention has an electrostatic protection

element portion having a multi-layer structured metal layer in which a top layer is partially removed to expose an under layer that is directly below the top layer.

In contrast, Satou discloses in Col. 14, lns. 5-20 the formation of contact holes K8, K10 and CP1, as shown in FIG. 24. The Examiner defines a connecting layer 952 as electrically connecting the metal layer via the contact hole. However, layer 952 of Satou, as shown in FIG. 25, connects layer 930b, which is considered a top layer, to layer 902, which is considered an under layer. However, layer 902 of Satou is not directly below layer 930b, as now recited in amended claim 17.

Claim 15 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Satou and further in view of Shireki (U.S. Patent No. 5,926,234). In response, Applicants amended independent claim 15 to clarify that the electrostatic protection element portion is formed of a plurality of metal layers directly formed on the same layer as the first common wiring or the second common wiring, and respectfully traverse the rejection.

As discussed with respect to the rejection of independent claims 13-14, Satou fails to disclose a plurality of metal layers that are directly formed on the same layer. That is, the Examiner considers layers 900 and 930 as viewed from the cover figure (FIG. 26) to teach an electrostatic protection element portion having a plurality of metal layers. However, layers 900 and 930 (i.e., 930b) are not formed directly on the same layer. For this reason, withdrawal of the §103 rejection of claim 15 is respectfully requested.

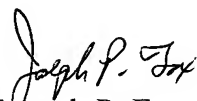
For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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